



Senate

General Assembly

File No. 197

February Session, 2012

Substitute Senate Bill No. 88

Senate, April 2, 2012

The Committee on Environment reported through SEN. MEYER of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE PUBLIC'S RIGHT TO KNOW OF A SEWAGE SPILL.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2012*) (a) For the purposes of this
2 section:

3 (1) "Sewage treatment plant or collection system" means any sewage
4 treatment plant, water pollution control facility, related pumping
5 station, collection system or other public sewage works;

6 (2) "Sewage spill" means the diversion of wastes from any portion of
7 a sewage treatment plant or collection system in this state that
8 reasonably initiates public health, safety or welfare concerns, or
9 environmental concerns; and

10 (3) "Combined sewer" means structures which are designed to
11 convey both sanitary and storm sewage, and allow the overflow of
12 such combined sewage, untreated, to the waters of the state during

13 periods of high flows.

14 (b) On or before July 1, 2013, the Commissioner of Energy and
15 Environmental Protection shall post, on the department's Internet web
16 site, a map of the state indicating the combined sewer overflows
17 anticipated to occur during certain storm events. The web site may
18 include the following relevant information about the overflows: (1)
19 Location, anticipated duration and extent; (2) reasonable public health,
20 safety or environmental concerns; and (3) public safety precautions
21 that should be taken.

22 (c) On or before July 1, 2014, the Commissioner of Energy and
23 Environmental Protection shall post, on the department's Internet web
24 site, notice of unanticipated sewage spills and waters of the state that
25 have chronic and persistent sewage contamination that represents a
26 threat to public health, as determined by the Commissioner of Energy
27 and Environmental Protection in consultation with the Commissioner
28 of Public Health. Any notice posted pursuant to this subsection may
29 contain the following relevant information as best determined from the
30 reported sewage spill incident: (1) The estimated volume of discharge;
31 (2) the level of treatment of the discharge; (3) the date and time the
32 incident occurred; (4) the location of the discharge; (5) the estimated or
33 actual time the discharge ceased; (6) the geographic area impacted by
34 the discharge; (7) the steps taken to contain the discharge; (8)
35 reasonable public health, safety or welfare concerns or environmental
36 concerns; and (9) public safety precautions that should be taken.

37 (d) The Commissioner of Energy and Environmental Protection
38 shall consult with the Commissioner of Public Health, operators of
39 sewage treatment plant or collection systems and state and local
40 environmental and health agencies when developing the notice
41 required by subsection (c) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2012	New section

ENV *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill, which requires the Department of Energy and Environmental Protection (DEEP) to post a map of combined sewer overflows and notice of unanticipated sewage spills on its website within specific timeframes, is not anticipated to result in a fiscal impact.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**sSB 88*****AN ACT CONCERNING THE PUBLIC'S RIGHT TO KNOW OF A SEWAGE SPILL.*****SUMMARY:**

This bill requires the Department of Energy and Environmental Protection (DEEP) commissioner to post the following information on DEEP's website:

1. by July 1, 2013, a state map showing combined sewer overflows expected to happen during storms and
2. by July 1, 2014, notice of unanticipated sewage spills and state waters that have chronic and persistent sewage contamination that poses a threat to public health that must be determined by the DEEP commissioner in consultation with the public health commissioner.

The bill requires the DEEP commissioner, when developing the notice, to consult with (1) the public health commissioner, (2) sewage treatment plant or collection system operators, and (3) state and local environmental and health agencies.

EFFECTIVE DATE: July 1, 2012

COMBINED SEWER OVERFLOW MAP

With respect to the combined sewer overflow map, DEEP's website may include the (1) overflow location, anticipated duration, and extent; (2) reasonable public health, safety, or environmental concerns; and (3) public safety precautions that should be taken.

The bill defines a "combined sewer" as a structure that is designed to (1) carry both sanitary and storm sewage and (2) allow the overflow

of combined, untreated sewage into state waters during periods of high flows.

SEWAGE NOTICE

With respect to notice of unanticipated sewage spills and state waters that have chronic and persistent sewage contamination that poses a threat to public health, DEEP's website may include, as best determined from a reported sewage spill incident (presumably in the context of an unanticipated spill), the:

1. estimated discharge volume;
2. extent to which the discharge was treated;
3. incident date and time;
4. discharge location;
5. estimated or actual time the discharge ended;
6. discharge's impacted geographic area;
7. steps taken to contain the discharge;
8. reasonable public health, safety, welfare, or environmental concerns; and
9. public safety precautions that should be taken.

The bill defines a "sewage spill" as the diversion of wastes from any portion of a sewage treatment plant or collection system in Connecticut that reasonably initiates public health, safety, welfare, or environmental concerns. A "sewage treatment plant or collection system" means a sewage treatment plant, water pollution control facility, related pumping station, collection system, or other public sewage works.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 29 Nay 0 (03/14/2012)